

April 16, 1975

SPEAKER: State your question.

SENATOR BEREUTER: As I understand it, your amendment still contains the provisions in it related to maximum weight, is that correct?

SENATOR SWIGART: Yes, they do because that, I think, that feature was to prevent tricks or piling up possibly of two or three high in the seat, sitting on each others lap or that sort of thing, just to prevent that and, incidentally, the weighting capacity of the bus would be on every bus and it is inside, as I understand it, where you can read it.

SENATOR BEREUTER: My question would be, if that is really a meaningful provision in that it would seem to me that it would be unlikely that we would ever have occasion to actually weigh a bus.

SENATOR SWIGART: I think you are right in that it would be difficult and it would be an extreme case, I think. If an officer saw a bus, what he thought was repeatedly overloaded in his mind, I think he would make it a point to have it weighed. I suppose he would warn them first but I don't know how he would interpret that.

SENATOR BEREUTER: Thank you.

PRESIDENT WHELAN PRESIDING

PRESIDENT: Senator Duis.

SENATOR DUIS: Mr. President, members of the Legislature, Senator Swigart, I am wondering how far you intended this to go. I am thinking of all those automobiles and pickups all over the state of Nebraska in Class I school districts that have school bus on top of them that are taking children to and from school and just exactly what you mean by the whole situation where they may have a pickup or they may have a car that I don't know what the passenger rating is and whether they can put three people in the front seat and two in the back or three...do you have any intention. I just don't know how far you are going. We have got them by the hundreds and hundreds. They are contractors, you see. They get so much a mile for bringing those children to and from school.

SENATOR SWIGART: I think this would not include those automobiles or smaller vehicles, than what would be described as a school bus.

SENATOR DUIS: Well, they have got that on top of them. They have got a sign up there that says school bus and then they have two lights up there so that some...that flash, you know, to protect them.

SENATOR SWIGART: I think if they did not have a contractual arrangement with the school, it would not be considered a bus. If they did have a contractual arrangement with them, I think they would then fall in line and would have to be seated like everybody else.

SENATOR DUIS: I think we had better get some clarification